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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GIL CROSTHWAITE, et al., in their capacities
as Trustees of the OPERATING ENGINEERS
HEALTH AND WELFARE TRUST FUND
FOR NORTHERN CALIFORNIA, et al.,

Case No.: C07-2195 SC

**STIPULATION OF VOLUNTARY
DISMISSAL**

Plaintiffs,
v.

MARTIN GENERAL ENGINEERING, INC.,
a California Corporation, and MARTIN
TRANQUILINO,
Defendants.

PLEASE TAKE NOTICE that pursuant to F.R.C.P., Rule 41(a)(1)(ii), Plaintiffs Operating Engineers Health and Welfare Trust Fund for Northern California, et al., and Defendants Martin General Engineering, Inc. and Martin Tranquilino stipulate to the voluntarily dismissal, with prejudice, of Defendants Martin General Engineering, Inc. and Martin Tranquilino in this action. Defendants have paid all amounts claimed by plaintiffs, and plaintiffs have not previously filed or dismissed any similar action against defendant.

Dated: February 3, 2009

SALTZMAN & JOHNSON
LAW CORPORATION

By: _____/S/_____
Michele R. Stafford
Attorneys for Plaintiffs

-1-
STIPULATION OF VOLUNTARY DISMISSAL
Case No. C07-2195 SC

1 Dated: February 5, 2009

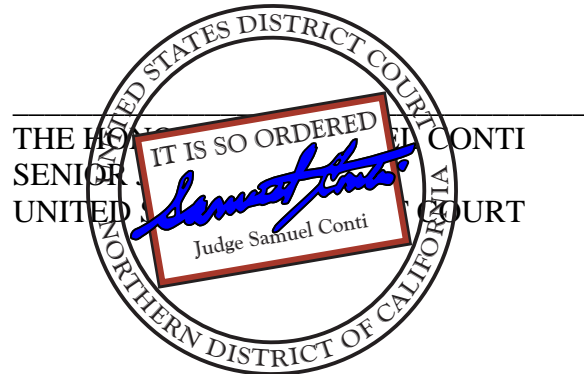
KOELLER, NEBEKER,
CARLSON & HALUCK

3 By: _____/S/_____

4 Bill Ocken
5 Attorneys for Defendants

6 IT IS SO ORDERED.

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8 Dated: 2/10/09



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NOTICE OF VOLUNTARY DISMISSAL
Case No. C07-2195 SC (BZ)